

# **INSTRUCTIONS**

**INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004  
(IDEA)  
(20 U.S.C. 1400 et seq.)**

**ANNUAL REQUEST FOR FEDERAL SPECIAL EDUCATION FUNDS  
Fiscal Year (FY) 2012**



**Prepared By  
New Hampshire State Department of Education  
Bureau of Special Education  
101 Pleasant Street  
Concord, New Hampshire 03301-3860  
603-271-3741**

**INSTRUCTIONS**  
**ANNUAL REQUEST FOR FEDERAL SPECIAL EDUCATION FUNDS FY'12**

Notice of Nondiscrimination

The New Hampshire Department of Education does not discriminate on the basis of race, color, religion, marital status, national/ethnic origin, age, sex, sexual orientation, or disability in its programs, activities and employment practices. This statement is a reflection of the Department of Education and refers to, but is not limited to, the provisions of the following laws:

Title IV, VI, and VII of the Civil Rights Act of 1964 – race color, national origin  
The Age Discrimination in Employment Act of 1967  
The Age Discrimination Act of 1975  
Title IX of the Education Amendments of 1972 (Title IX) - sex  
Section 504 of the Rehabilitation Act of 1973 (Section 504) - disability  
The Americans with Disabilities Act of 1990 (ADA) - disability  
NH Law Against Discrimination (RSA 354-A)

The following individual has been designated to handle inquiries regarding the nondiscrimination policies and laws above except Section 504:

Sheila Miller,  
New Hampshire Department of Education  
101 Pleasant Street  
Concord, NH 03301  
(603)271-6642

Inquiries regarding Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, Title IX, Section 504, and/or Title II of the ADA also, or instead, may be directed to:

U.S. Department of Education  
Office for Civil Rights  
33 Arch Street, Suite 900  
Boston, MA 02110-1491  
(617) 289-0111  
TDD 877-521-2172

## INSTRUCTIONS

### ANNUAL REQUEST FOR FEDERAL SPECIAL EDUCATION FUNDS FY'12

The ANNUAL REQUEST FOR FEDERAL FUNDS allows a local education agency (LEA) to apply for IDEA-B Section 611 & Preschool Section 619 funds in one application. The application is a web based online process, which includes requests for Coordinated Early Intervening Services or activities for children placed by their parents in private schools. Requests which include more than one LEA must also include a consolidated agreement.

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### **COVER PAGE - IDENTIFYING INFORMATION**

Project Title can be whatever the LEA chooses. It is suggested that the LEA select a title that identifies this as a federally funded special education project.

Project Start and End Dates should be the anticipated dates services will be provided with federal special education funds. The start date cannot be earlier than the date the request is received at the Department of Education and in no case can it be earlier than the start of the fiscal year, July 1<sup>st</sup>. The end date cannot be any later than the close of the fiscal year, June 30<sup>th</sup>. Please indicate Start and End Dates for IDEA-B Section 611 & Preschool Section 619 if applying for both.

Agency Responsible for Programmatic and Fiscal Administration is the LEA which will be receiving the federal funds, establishing and maintaining the federal ledgers, hiring or contracting with personnel to provide services, purchasing equipment and materials, tracking activities and reporting to the Department of Education. The Project Manager is the person designated by the Superintendent as responsible for the day-to-day management of all aspects of the project including approving disbursements of funds. The Project Manager must be an employee of the Agency Responsible for this project. The Superintendent and the Project Manager may assign the role of Contact Person to another individual who is also an employee of the Agency responsible for this project. If you have chosen to do this, please include the contact person's name and contact information.

If the project will be administered on a daily basis by another agency on behalf of the LEA which has primary responsibility for project administration, the contractor must be identified in the second block on the cover page.

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### **PROJECT DESCRIPTION**

In order to receive federal funds, each LEA is required to submit an Annual Request for Federal Funds, which must include a description of how the LEA will use the funds.

#### **Priority to be Addressed**

"*Priority to be Addressed*" refers to the focus that will be targeted by the activities. When determining one or more priorities, consider the needs of students with disabilities in your LEA, especially needs that have been identified through the state-to-local monitoring process, systemic issues identified through dispute resolution, corrective actions, or other data relative to the New Hampshire Special Education State Performance Plan/Annual Performance Report:

[http://www.education.nh.gov/instruction/special\\_ed/spp.htm](http://www.education.nh.gov/instruction/special_ed/spp.htm).

These identified needs should then be aligned to the state and federal priorities.

If you select more than one priority area that are strongly connected to one another (for example, you might engage in specific activities geared to both prevent drop-out and to increase high school graduation rates as two interconnected priority areas) then you may list them on one page. However, if you decide that your project will address multiple but diverse priority areas (such as a focus on early transitions with some of the funds and another on drop-out with additional funds) then those priorities must be listed on separate activities. Please be aware that your activities must be aligned to the priority area.

The *Priority to be Addressed* for IDEA Section 611 funds includes children ages 3 to 21. The *Priority to be Addressed* for IDEA Section 619 funds includes children ALREADY identified with a disability ages 3 through 5 only. ***Section 619 funds may not be used for evaluation and child find activities.***

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State and federal priorities, based on the Special Education State Performance Plan, are listed below. These are the recommended priority areas for your application.

#### High School Graduation

Increase the percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth graduating with a regular diploma.

#### Drop Out Reduction

Reduce the percent of youth with IEPs dropping out of high school compared to the percent of all youth dropping out of high school.

#### Statewide Assessment

Increase participation rate of children with disabilities on statewide assessments.

Increase proficiency rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; and alternate assessment against alternate achievement standards.

#### Suspension and Expulsion

Reduce the discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year;

Reduce the discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year by race and ethnicity.

#### School-Age Least Restrictive Environment

Increase the percent of children with IEPs aged 6 through 21 educated with non-disabled peers to the maximum extent appropriate.

#### Preschool Least Restrictive Environment

Increase the percent of preschool children with IEPs who receive special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

#### Preschool Outcomes

Increase the percent of preschool children with IEPs who demonstrate improved outcomes in the following areas:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

#### Parent Involvement

Increase the percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

#### Disproportionality

Zero percent disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Zero percent disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

#### Evaluation (Section 611 funds ONLY)

100% of children with parental consent to evaluate will be evaluated and eligibility determined within state established timeline of 45 days.

#### Early Transition

100% of children referred by Family-Centered Early Supports & Services (Part C of IDEA) prior to age 3, who are found eligible for special education (Part B of IDEA), have an IEP developed and implemented by their third birthdays.

#### Secondary Transition

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100% of youth aged 16 and above have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

#### Post School Outcomes

Increase the percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

#### Other

LEAs may select a priority based on locally identified needs. If you do not select one of the above priorities, please write "other" in the priority box and provide a brief description of the priority you have selected.

**Allowable Costs and Activities:** Please refer to the NH Allowable Cost and Activities document as located at:  
[http://www.education.nh.gov/instruction/special\\_ed/entit\\_grant.htm](http://www.education.nh.gov/instruction/special_ed/entit_grant.htm)

PLEASE TAKE NOTE that while it is possible to request funds from both funding sources on one page, it is not required that you do so. If you wish to request IDEA-B Section 611 and Preschool Section 619 funds separately, you may do so. Also, if the request is for both sources of funds and targets more than one priority, it is not required that both funding sources be utilized for all priorities or all activities.

The description of *Activities* allows the applicant to request funds from both federal funding sources to support specific activities that benefit children with disabilities. All the activities which will be implemented to support the *Priority* described at the top of the page must be listed separately. In the column indicate the Function Code, the Description, the Object Code, and the Description from The New Hampshire Financial Accounting Handbook for Local Education Agencies 1999 Edition, which will identify these activities in the federal ledgers. Please work closely with your Business Administrator to ensure appropriate function/object codes are identified. In the last two columns, indicate the amount of funds to be allocated to each activity from each of the funding sources. Total the funds at the bottom of each column.

#### **Employees/Personnel: Object Codes of 100**

**When using Object Code Series 100, please list function/object codes, position titles, incumbent or vacant, and dollar amounts that will coincide with the amount listed under Activities.**

#### **Instructional equipment and computer hardware**

Instructional equipment is defined as any item with a purchase price of \$100.00 or more and a life expectancy of more than one year. To be purchased with federal funds, instructional equipment and computer hardware must be necessary to implement activities which address the priorities described in this request. The items should be listed on the Project Description page, along with the activity it supports. The Federal Funds Financial Management Manual states on page 3 that "Equipment must be specifically identified and justified. Justification should include its purpose, why it is necessary, how it will be used, and number of people it will serve or workload it will fulfill." While it is not necessary to identify a specific brand name, it is necessary to identify each type of item purchased, the quantity and the cost. For example: 2 personal computers @ \$1,500 each and 1 printer @ \$150 to be used for language arts instruction, by 20 students with disabilities, in the elementary classroom.

It is still the fiscal agent's responsibility to establish and maintain an inventory. If the purchase price is \$100.00 or more and the life expectancy of the item is more than one year, the item must be inventoried. The inventory list must be submitted to the Department of Education at the end of the year and the equipment must be available for inspection during monitoring and auditing activities.

#### **Administrative Case Management**

A local education agency may use funds received under this part to purchase technology devices in (a) through (e) below:

- (a) Scheduling IEP meetings;
- (b) Coordinating evaluations and IEP drafting;
- (c) Visiting potential student placement environments;
- (d) Communicating with a parent; and
- (e) Updating progress reports for meeting IEP goals.

#### **Purchased Services Contracts and Agreements**

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In cases where the contract or purchased services agreement is negotiated with a sole source of procurement and the aggregate amount of expenditure will exceed \$5,000, page 34 of the Federal Funds Financial Management Manual **requires** their submission to the Department of Education for prior approval. Contracts LEAs enter into with individual related services providers or private educational agencies or institutions fall into this category when the contract price is greater than \$5,000. If the contract amount is less than \$5,000 for each individual related services providers or private educational agencies or institutions then please indicate this on the project description page. In all contract situations, whether short or long term, negotiated or competitively bid, the fiscal agent for federal funds must adhere to the procurement standards described on pages 33 and 34 of the Federal Funds Financial Management Manual. The original copy of any contract must be kept with the financial records of the project.

***In addition, a partial list of allowable costs for IDEA funds is included below:***

#### **I. Assistive Technology:**

- a. Assistive technology device:  
Any item, piece of equipment, or product system, whether acquired commercially or off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child with a disability.
- b. Assistive technology service:  
Any service that directly assists a child on an IEP in the selection, acquisition or use of an assistive technology device includes:
  - 1. The evaluation of the needs of the child, including a functional evaluation of the child in the child's customary environment;
  - 2. Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices for the child;
  - 3. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of assistive technology devices;
  - 4. Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
  - 5. Training or technical assistance for the child, or where appropriate, the family of the child; and
  - 6. Training or technical assistance for professionals (including individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of the child).

#### **II. Instructional Equipment, which includes:**

- 1. Computer;
- 2. Telecommunications, sensory and other technological aids and devices;
- 3. Specialized furniture and equipment for students with disabilities.

#### **III. Related services, which means:**

Developmental, corrective, and other supportive services such as but not limited to:

- 1. Audiology services;
- 2. Psychological services;
- 3. Physical, occupational and speech therapy;
- 4. Recreation, including therapeutic recreation;
- 5. Social work services;
- 6. Counseling services, including rehabilitation counseling;
- 7. Orientation and mobility services;
- 8. Medical services, (except that such medical services shall be for diagnostic and evaluation purpose only) as may be required to assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions to children;
- 9. Speech and language services;
- 10. Transportation; and,
- 11. Travel training.

#### **IV. Special education, which means specially designed instruction, at no cost to parents, to meet the unique needs of a child with a disability, including:**

- a. Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings.
- b. Instruction in physical education.
- c. Other services identified as special education services within the IDEA.

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- V. Supplementary aids and services, which means, aids, services, and other supports that are provided in general education classes or other education-related settings to enable children with disabilities to be educated with non-disabled children to the maximum extent appropriate.**
- VI. a. Early Transition from Family-Centered Early Supports & Services to Preschool Special Education activities to promote smooth and effective early transitions may include but are not limited to:**
1. Home visits;
  2. Development and implementation of local interagency agreements and/or memorandums of understanding;
  3. Parent support groups or focus groups;
  4. Cross-agency professional development and technical assistance;
  5. Direct services related to transition;
  6. In-depth assessment of local policies, practices and procedures as well as data analysis to determine effectiveness of early transitions.
- b. Transition services, which mean a coordinated set of activities for a student with a disability that are designed within an outcome-oriented process, which promotes movement from school to post school activities, including:**
1. Post-secondary education;
  2. Vocational training;
  3. Integrated employment (including employment);
  4. Continuing and adult education;
  5. Adult services;
  6. Independent living, or
  7. Community participation.
- c. Transition services are based upon the individual student's needs taking into account student's preferences and interests; and include:**
1. Instruction;
  2. Related services;
  3. Community experiences;
  4. The development of employment and other post-school adult living objectives;
  5. When appropriate, acquisition of daily living skills; and,
  6. A functional vocational evaluation.
- VII. IDEA 611 Part B grant monies may also be used to fund "Child Find" Activities.** These are activities which will be used to find and locate all children with disabilities residing in the school districts of the supervisory unit, including children with disabilities attending private/independent schools, including parochial, elementary and secondary schools. After finding and evaluating the children, determine which children are eligible and in need of special education and related services.
- NOTE: IDEA Part B section 619 monies may NOT be used for preschool child find activities.**
- VIII. Personnel preparation including in-service training.** Any professional developmental activity must be aligned with district's staff development plan. Districts may use IDEA Part B Section 611 or IDEA Preschool Section 619 funds to support participation in the Preschool Technical Assistance (PTAN). This allows for enhanced regional and statewide activities related to preschool special education professional development and technical assistance.
- IX. Instructional Materials, which includes:**
1. Printed, published, and audio-visual instructional materials;
  2. Books, periodicals, documents, and other related materials;
  3. Software, test kit containing only consumables, (test kits & assessment tools that are over \$100 and shelf life of more than a year is considered equipment).
- X. Food Allowances, which includes:**
1. Parent meetings;
  2. Staff meals at Professional Development Conferences;
  3. Snack and/or meals for students with disabilities.

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***COORDINATED EARLY INTERVENING SERVICES (CEIS) FOR STUDENTS (K-12) WHO HAVE  
NOT BEEN IDENTIFIED AS NEEDING SPECIAL EDUCATION SERVICES***

An LEA may (or in some cases must) use up to 15 percent of the total **amount it receives under IDEA Part B (Section 611) and Preschool Special Education (Section 619)** for coordinated early intervening services for children in grades K through 12 who are not currently identified as children with disabilities, but who need additional academic and behavioral support to succeed in a general education environment. However, an LEA may use only up to 15 percent of its total allocation for Fiscal Year 2012 minus any amount (on a dollar-for-dollar basis) by which the LEA reduced its required state and local expenditures under section 613(a)(2)(C), in combination with other amounts which may include amounts other than education funds), to develop and implement coordinated, early intervening services, which may include interagency financing structures, for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade 3) who have not been identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment. Please include the estimated number of students who will benefit from these CEIS activities. If the LEA chooses to spend a portion of its **IDEA Part B (Section 611), Preschool Special Education (Section 619)** allocation on Coordinated Early Intervening Services, they must complete the section on line.

**Coordinated Early Intervening Services may include:**

- interagency financing structures,
- for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade 3)
- who have not been identified as needing special education or related services
- but who need additional academic and behavioral support to succeed in a general education environment.

**Coordinated Early Intervening Services funds may support the following activities:**

- a. Professional Development Activities in the Area of:
  1. Scientifically Based Academic Instruction;
  2. Behavioral Interventions;
  3. Scientifically Based Literacy Instruction; and
  4. Instruction in Adaptive and Instructional Software.
- b. Educational or Behavioral Evaluations
- c. Educational Services and Supports
- d. Behavioral Services and Supports
- e. Scientifically Based Literacy Instruction

NOTE: Please refer to FY'05 Special Education Memo #15 for further information on Early Intervening Services, including the annual reporting requirement to the SEA. Additional guidance is provided in OSEP memo 08-09: <http://www.ed.gov/policy/speced/guid/idea/ceis.html>.

***CONSOLIDATED AGREEMENT – On Line***

When a request includes funds from more than one LEA, a Consolidated Agreement must be completed.

Enter the Fiscal Year for which this request applies. In item #1, fill in the name of the LEA which will be the Administrative Agent for all activities covered by this request. In item #2, fill in the name of the Project Manager. Both the Administrative Agency and the Project Manager must be the same as indicated on the cover page.

List each separate school district participating in this request. Indicate the date each local school board approved this participation and the amount it allocated to this project. Usually the amount allocated is equal to the district's entitlement. The Superintendent or other authorized personnel must sign and date the form for each school district participating. **(THE ORIGINAL SIGNATURE MUST BE SUBMITTED.)**



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**ATTACHMENTS**  
**CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOLS**  
**(20 U.S.C. 1412 (a) (10))**  
**PART I & II Attach to on line**

**Part I: Private School Consultations**

The applicant will complete the following steps:

I (a) List the private (approved non-public) schools located within the district. If there are no private elementary and secondary schools with the jurisdiction of the LEA please indicate by writing NA. Note : Please refer to FY'10 Special Education Memo for further information about children with disabilities placed by their parents in private schools.

I(b) Please circle (**Yes** or **No**) whether or not you as the LEA/district obtained a written affirmation signed by the representative of the private school.

I (c) If the LEA/district **did not** receive a written affirmation signed by the representative and you circled No to 1(b) you **must** attach documentation to this application of the district's efforts to consult with the private school(s) in your district.

The NH Department of Education website is updated periodically; however, if you are aware of a new approved nonpublic non-public school in your jurisdiction that has not yet been posted, you should include them in I (a). **The NH State definition of elementary and secondary schools does not include preschool, therefore community-based preschools, child care programs and Head Start are not considered private schools and should NOT be included in this section.**

**Part II: Unexpended Funds From Prior Year: Funds for Equitable Services for Parentally Placed Children with Disabilities that were Not Expended by the end of FY'11 (July1, 2010-June30,2011).**

34 CFR 300.133(a) (3) states "if an LEA has not expended for equitable services all of the funds described in paragraphs (a) (1) and (a) (2) of this section by the end of the fiscal year for which Congress appropriated the funds, the LEA must obligate the remaining funds for special education and related services (including direct services) to parentally-placed private school children with disabilities during a carry-over period of one additional year."

The applicant must complete the requested information in sections II (a), II (b), and II (c). Enter \$0 if there are no funds carried forward.

**CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOLS**  
**(20 U.S.C. 1412 (a) (10))**  
**PART III**

**Part III: Proportional Share for FY'12(July 1, 2011-June30, 2012) If there are no children eligible, please indicate by entering "0" in III (a).**

The applicant will complete the requested information in sections III (a), III (b), and III (c).

**Part IV: Total amount of proportional share of IDEA funds to be expended on eligible parentally placed children with disabilities attending private schools in the district.**

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The applicant will complete the section by adding II( c) from Part II or the total amount of funds to carry over to FY'11 and III(f) from Part III of the total amount of funds allocated in FY'11 .

**Part V. Authorized Signature**

An authorized signature is required certifying that Parts I, II, and III are complete and accurate. If there are no private elementary and secondary school in the jurisdiction of the LEA, no signature is required.

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***CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOLS –  
ACTIVITY DESCRIPTION***

Districts with a proportional share of IDEA funds to be expended on children with disabilities enrolled by their parents in private schools complete this page by doing the following:

Activity: Bullet all activities that will be supported with the proportional share of funds.

Budget: Complete the function code, description, etc.

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**IDEA Part B SECTION 611 ASSURANCES – Section I**

***CHARTER SCHOOLS***

**The assurance for Treatment of Charter Schools contains** federal requirements that **must** be updated annually. Please provide the requested information for charter schools that are public schools of the LEA.

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***MAINTENANCE OF EFFORT***

**Maintenance of Effort.** Documentation of maintenance of effort (non-supplanting) may be done on a total expenditure or a per capita average basis for each district. Choose either a or b below and submit only the figures required by a or b. Please do not submit the entire budget.

Funds provided to the LEA under Part B of the Act may not be used to reduce the level of expenditures for the education of children with disabilities made by the LEA from a combination of state and local funds below the level of those expenditures for the preceding fiscal year. Document non-supplanting by attaching:

- a) EITHER the total amount of a combination of state and local funds which each LEA has:
  - 1) Budgeted for the current fiscal year for the education of children with disabilities; and
  - 2) Actually expended in the most recent prior fiscal year for the education of children with disabilities.
- b) OR the average per capita amount of a combination of state and local funds which each LEA has:
  - 1) Budgeted for the current fiscal year for the education of children with disabilities; and
  - 2) Actually expended in the most recent prior fiscal year for the education of children with disabilities.

**Exception to Maintenance of Effort.** An LEA may reduce the level of expenditures under Part B of the Act below the level of those expenditures for the preceding fiscal year if the reduction is attributable to (a) the voluntary departure of special education or related services personnel who are replaced by qualified, lower salaried staff; (b) a decrease in the enrollment of children with disabilities; and/or (c) the termination of the obligation of the LEA, consistent with this part, to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by

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the SEA, because the child: (1) has left the jurisdiction of the LEA; (2) has reached the age at which the obligation of the LEA to provide FAPE to the child has terminated; or (3) no longer needs the program of special education.

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### ***NIMAS/National Instructional Materials Accessibility Center (NIMAC)***

The National Instructional Materials Accessibility Standard (NIMAS) ensures that students who are print disabled receive a timely acquisition of materials. The National Instructional Materials Access Center (NIMAC) is the national repository of NIMAS source files which may then be converted into formats that are accessible by individuals who are blind or individuals with other print disabilities. For LEAs who choose to participate in NIMAC, contracts must be executed with publishers for textbooks and other printed core materials to include a provision that will require the publisher to produce files for transmission to NIMAC. If an LEA does not participate in NIMAC, the LEA is responsible for ensuring that each child who requires instructional materials in an alternate format will receive it in a timely manner to allow the child to participate in the curriculum.

Please see FY'06 Special Education Memo #23 for further information.

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### ***IDEA Part B SECTION 611 ASSURANCES – Section II***

Each participating LEA must clearly identify the name of the document supporting each of the Federal Assurances; indicate where each document is located, and the date the document was adopted. Please note this is a change in the process.. Do not submit the documents. For monitoring purposes, each participating district must keep a file containing all the documentation referenced in this part. Specific guidance concerning what kinds of information is sufficient to document the LEAs compliance is described below for your reference.

#### **ASSURANCE: Free and Appropriate Education (FAPE)**

Each application must assure procedures that all children with disabilities aged 3 to 21 residing within the jurisdiction of the local education agency have a right to FAPE, including children with disabilities who have been suspended or expelled from school.

#### **SOURCES OF DOCUMENTATION**

1. Written procedure for implementing FAPE from the local special education application.
2. Written school board policies and procedures that ensure FAPE.
3. Forms and other documents that are used in implementing FAPE for children with disabilities.

#### **ASSURANCE: Child Identification (Child Find)**

Each application must assure procedures which ensure that all children, including highly mobile children (such as migrant and homeless children), residing within the jurisdiction of the local education agency who are disabled, regardless of the severity of their disability, and who are in need of special education and related services are identified, located, and evaluated, including a practical method of determining which children are not currently receiving needed special education and related services.

**Please note that IDEA 2004 LEA child find requirements have changed for private schools. Each LEA shall locate, identify, and evaluate all private school children with disabilities, including religious-school children, educated in the jurisdiction of the LEA. The activities undertaken to carry out this responsibility for private school children with disabilities must be comparable to activities undertaken for children with disabilities in public schools.**

#### **SOURCES OF DOCUMENTATION**

1. Written procedures for implementing a Child Find Program from the local special education application.
2. Written communications with representatives of private school children and other community agencies which relate to implementation of the Child Find Program.
3. Logs of telephone conversations with representatives of private school children and other community agencies which relate to implementation of the Child Find Program.
4. Brochures, newspaper and other media announcements concerning child find activities conducted by the agency.

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#### **ASSURANCE: Confidentiality of Personally Identifiable Information**

Each application must assure policies and procedures that ensure that the criteria in 20 U.S.C. 1400 et seq. are met.

#### **SOURCE OF DOCUMENTATION**

1. Written confidentiality policies and written procedures for their implementation from the local special education application.
2. Written confidentiality policies from the school board policy manual and written procedures for their implementation.
3. Forms and other documents used in implementing the confidentiality policies (e.g., record of access, permission to collect or release information, list of education records, list of persons having access to records, etc.).

#### **ASSURANCE: Individualized Education Program**

Each application must include procedures to assure that the LEA complies with the provision of 20 U.S.C. 1400 et seq.

#### **SOURCE OF DOCUMENTATION**

1. Written procedures for developing IEPs from the local special education application.
2. Forms used for gathering information for writing or revising IEPs.
3. Forms used to document the process of developing IEPs (e.g., meeting notices, minutes, etc.).

#### **ASSURANCE: Procedural Safeguards**

Each application must provide assurance satisfactory to the State Department of Education that the LEA has procedural safeguards which meet the requirements of 20 U.S.C. 1400 et seq.

#### **SOURCES OF DOCUMENTATION**

1. Written procedures from the local special education application, which is for providing students with disabilities and/or their parents with access to records, independent evaluations, written prior notice, impartial due process hearings, and providing for the appointment of surrogate parents.
2. Written information provided to parents concerning the items listed in #1 above including an explanation of how and when this information is provided.

#### **ASSURANCE: Least Restrictive Environment**

Each public agency shall ensure:

1. That to the maximum extent appropriate, consistent with the provisions of 20 U.S.C. 1400 et seq., children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled;
2. That special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

#### **SOURCE OF DOCUMENTATION**

1. Written procedures used by district placement teams for determining student placements from the local special education application.
2. Forms used to document the placement decision, the process by which it was reached, and the information on which it was based.

#### **ASSURANCE: Participation in Assessment**

Each application must include procedures which ensure that the LEA complies with the provisions of 20 U.S.C. 1400 et seq.

#### **SOURCE OF DOCUMENTATION**

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1. Written procedures to include students with disabilities in general State and District-wide assessment programs with appropriate accommodations if necessary. Provide evidence of the inclusion of all students with disabilities in the New Hampshire Educational Assessment Program.
2. Written procedures for including the number of children in the district enrolled in the grade levels being assessed. Include the number of students with disabilities who completed all portions of the assessment program and the number of students with disabilities who completed specific portions of the assessment program.
3. Include the district guidelines for the students with disabilities who met the criteria and who participated in the alternate assessment form of the State and District-wide assessment program.
4. Written procedures from the school board policy manual that address the inclusion of students with disabilities in general State and district-wide assessment programs.

**ASSURANCE: Parent Participation**

Each application must include procedures to ensure that, in meeting the goal under the provisions of 20 U.S.C. 1400 et seq. (full education opportunity goal) the LEA makes provision for participation of and consultation with parents or guardians of children with disabilities.

**SOURCE OF DOCUMENTATION**

1. Written procedures for including parents in the special education process from the local special education application.
2. Written policies and procedures that address the participation of parents of students with disabilities in the special education process.
3. Forms used to document parental participation (e.g., notice of meetings, records of attendance at meetings, logs of phone contacts with parents, etc.).
4. Handbooks and manuals developed for parental use, which explain their role in the special education process.

**ASSURANCE: Full Educational Opportunity Goal and Timetable**

Each application must include documentation which provides equal educational opportunities to all children with disabilities.

**SOURCE OF DOCUMENTATION**

1. Written documentation that support the assurance that the school district complies with the goal of providing full educational opportunity to all children with disabilities, aged birth through 21.
2. A detailed, written timetable for accomplishing the goal above.

**ASSURANCE: Compliance with the McKinney-Vento Homeless Education Assistance Improvement Act**

Each application must include documentation which ensures access to a free, appropriate public education (FAPE) for children who are experiencing homelessness.

**SOURCE OF DOCUMENTATION**

1. Written documentation that reinforces the timely assessment, appropriate service provision and placement, and continuity of services for children and youth with disabilities who experience homelessness and high mobility.
2. Policies and procedures consistent with the McKinney-Vento Act that children who experience homelessness and high mobility have access to programs and services including special education services, preschool services, and before - and after-school care.
3. Written documentation of the appointment of a local homeless education liaison in the school district to ensure that homeless children and youth are identified and given full and equal access to all educational services for which they are eligible in order to succeed in school.

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***IDEA Part B ASSURANCES – Section III***

PLEASE NOTE that the following must be submitted to the Department of Education prior to the receipt of federal funds for FY 2010:

- “Certification Regarding Drug-Free Workplace Requirements” and “Certification Regarding Debarment, Suspension,

## INSTRUCTIONS

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Ineligibility and Voluntary Exclusion" assurances will be submitted to the Office of the Commissioner, prior to the receipt of federal funds for FY 2009.

- List each separate LEA participating in this request. The Superintendent or other authorized personnel must sign and date the form for each LEA participating. (The original signature **MUST BE SUBMITTED**.) By signing the Certification of Superintendent, the Superintendent of Schools or other authorized personnel guarantees compliance with all assurances appearing in Sections I, II and III of the application for all LEAs listed. (page 11 of the application)

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### **MAINTAINING FINANCIAL RECORDS FOR COMPLIANCE AND AUDIT PURPOSES**

Hand written Federal Funds Ledgers with the required four files of documentation must be maintained unless the fiscal agent has received written authorization from the Department of Education to use an alternative system such as a computerized ledger. See the Federal Funds Financial Management Manual for information on requesting permission to use computerized accounting systems.

EDGAR Regulations (34 CFR §74.21 and §74.22) require that financial records and supporting original documents must be kept for at least three years except that if litigation is pending they must be retained until the completion of the action. The three year retention period starts the day the final financial report is filed with the DOE. The Federal Funds Financial Management Manual requires that unaudited records "be maintained for 5 years after the date of submission of the annual expenditure report to the SEA.